

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENTUCKY UTILITIES)	CASE NO.
COMPANY FOR AN ADJUSTMENT)	2014-00371
OF ITS ELECTRIC RATES)	

ORDER

On December 9, 2014, the Kentucky Cable Telecommunications Association ("Petitioner" or "KCTA") filed a motion requesting full intervention in this case. Petitioner describes itself a non-profit organization consisting of cable operators serving the majority of cable customers throughout Kentucky.¹ Petitioner avers that several of its members attach their facilities to Kentucky Utilities Company's ("KU") utility poles, and that these members are directly affected by the portion of KU's rate adjustment application regarding pole attachment rates.² Petitioner points out that it has been granted intervention in prior rate and pole-attachment cases. Lastly, Petitioner asserts that its intervention will promote administrative economy and pledges to adhere to all Commission rules and procedures applicable to it as a party intervenor.³ For these reasons, Petitioner contends that it meets the standards for intervention in this matter.

On December 16, 2014, KU submitted its response to Petitioner's motion. KU states it does not oppose Petitioner's request to intervene to the extent that Petitioner seeks to examine the reasonableness of KU's proposed pole attachment fees.

¹ KCTA Motion to Intervene at 1.

² *Id.*

³ *Id.* at 2.

Nonetheless, KU asked that Petitioner be required to identify its members who are KU customers and which of those members have authorized Petitioner to seek intervention on their behalf in the instant matter in order to ensure that Petitioner has standing to intervene in this matter.⁴ Additionally, KU informs that it, along with its sister company, Louisville Gas and Electric Company (“LG&E”), will file a motion to dismiss Case No. 2014-00025, a separate and unrelated case involving a complaint by KCTA challenging the reasonableness of LG&E’s and KU’s present pole attachment charge, in the event Petitioner is granted intervention in the instant matter.⁵

Petitioner filed a reply in support of its motion to intervene on December 22, 2014. In its reply, Petitioner states that it is seeking intervention on behalf of Time Warner Cable, Comcast, Access Cable Television, Harlan Community Television, and Inside Connect Cable, all of whom have attachments to KU’s poles. KCTA also states that it will file a timely response to KU’s motion to dismiss in Case No. 2014-00025 in the complaint proceeding.⁶

Having reviewed the pleadings and being otherwise sufficiently advised, the Commission finds that KCTA’s intervention is likely to present issues and develop facts that will assist the Commission in considering this matter without unduly complicating or disrupting the proceedings. The Commission further finds that Petitioner should be granted full rights of a party in this proceeding. Lastly, we note that the motion to

⁴ KU’s Response to KCTA’s Motion to Intervene at 1-2.

⁵ *Id.* at 2; Case No. 2014-00025, *Kentucky Cable Telecommunications Association v. Louisville Gas and Electric Company and Kentucky Utilities Company* (Ky. PSC filed Jan. 24, 2014).

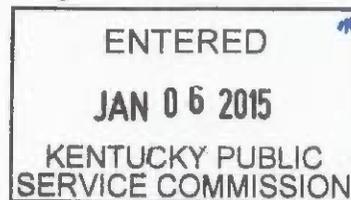
⁶ KCTA’s Reply in Support of Its Motion to Intervene at 1.

dismiss filed by KU and LG&E in Case No. 2014-00025 will be adjudicated in that proceeding and not in the instant matter.

IT IS HEREBY ORDERED that:

1. KCTA's motion to intervene is granted.
2. KCTA shall be entitled to the full rights of a party and shall be served with the Commission's Orders after the date of this Order.
3. KCTA shall comply with all provisions of 807 KAR 5:001, Section 8, related to the service and electronic filing of documents.
4. KCTA shall adhere to the procedural schedule set forth in the Commission's December 12, 2014 Order and as amended by subsequent Orders.

By the Commission



ATTEST:



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